

Practitioner's Docket No. 638.45

OFFICE OF FINANCE  
REFUND BRANCH

PATENT

2001 OCT -9 PM 2:49

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

US PATENT & TRADEMARK  
OFFICE

In re application of: **Swaminathan Jayaraman**

Application No.: **09/941,327**  
Filed: **08/29/01**

Group: Unknown  
Examiner: Unknown

#21 Reg for  
Refund  
12-02-01

For: **STRUCTURALLY VARIABLE STENTS**

Commissioner for Patents and Trademarks  
Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

**REQUEST FOR REFUND  
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

**I. REFUND REQUEST**

This is a request for a refund, with respect to the charge to Deposit Account **12-0551**, as shown on the statement dated **August 31, 2001**, for the above-identified application.

A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))**

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

**FACSIMILE**

LARSON & LARSON,  
ATTORNEYS  
AT  
LAW

11199-69th STREET N.  
LARGO, FL 33773-5504  
PH. 727-546-0660  
FAX 727-545-1595



deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231.



transmitted by facsimile to the Patent and Trademark Office.

*Lynn A. Raffin*  
Signature

Date: 10-3-01

LYNN A. RAFFIN  
(type or print name of person certifying)

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

### AMOUNT OF REFUND REQUESTED

Filing Fee	\$355.00
Claims over twenty (2)	\$ 18.00
<b>TOTAL REFUND REQUESTED</b>	<b>\$373.00</b>

## III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The filing fee and additional claims fee for the subject application as originally filed on August 29, 2001, were mistakenly charged by the PTO as a "non-small-entity". Applicant claimed "small entity" status at the time of filing the initial application as shown on **pages 3 and 4** of the **New Application Transmittal**, copy of which is attached herewith. Therefore, the **filing fee** should have been charged at **\$355.00**, and fee for two (2) additional claims over twenty should have been charged at **\$18.00**, for a total fee payment of **\$373.00**.

## IV. MANNER OF REFUND

Please make refund by crediting Account No. **12-0551**, in the amount of ~~\$373.00~~.

LARSON & LARSON,  
ATTORNEYS  
AT  
LAW

11199-69th STREET N.  
LARGO, FL 33773-5504  
PH. 727-546-0660  
FAX 727-545-1595

Reg. No. 37,867  
Tel. No.: (727) 546-0660

**Customer No.: 22497**

  
SIGNATURE OF PRACTITIONER

James E. Larson  
LARSON & LARSON, P.A.  
11199 - 69th Street North  
Largo, FL 33773-5504

U:\Lynn\WORK\Patents\DEP-ACCT.638.045

COPY

7. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$710.00
Total Claims (37 CFR 1.16(c))	22	- 20 =	0 x	\$18.00	\$36.00
Independent Claims (37 CFR 1.16(b))	3	- 3 =	0 x	\$80.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$270.00	\$0.00

Filing Fee Calculation

\$746.00

8. Small Entity Statement

Applicant hereby contends that this is a filing by a small entity as stated under 37 C.F.R. Sections 1.9 and 1.27.

Filing Fee Calculation (50% of above)

\$373.00

9. Fee Payment Being Made at This Time

Enclosed

Filing Fee

2

Claims over 20

\$355.00

18.00

Total Fees Enclosed

\$373.00

10. Method of Payment of Fees

The Commissioner is hereby authorized to charge the filing fee of \$373.00 to Deposit Account No. 12-0551, in the name of LARSON & LARSON, P.A.

A duplicate copy of the transmittal is enclosed for this purpose.

11. Authorization to Charge Additional Fees

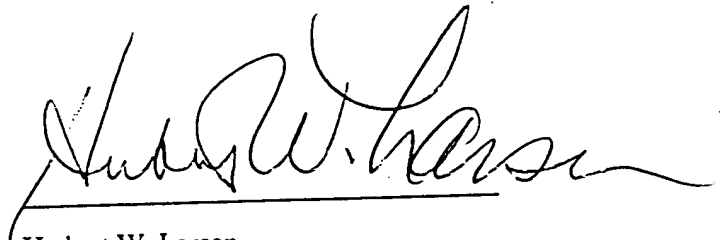
The Commissioner is hereby authorized to charge additional fees or deficiencies in fees to Deposit Account No. 12-0551.

12. Instructions as to Overpayment

Credit Account No. 12-0551.

Date:

Aug. 29, 2001



Herbert W. Larson  
Registration No. 21,008  
LARSON & LARSON, P.A.  
11199 69th Street North  
Largo, FL 33773-5504  
727-546-0660  
Customer No. 22497

**COPY** **PATENT**

Preliminary Classification:  
Proposed Class:  
Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Commissioner for Patents  
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor: Swaminathan Jayaraman

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10\***  
*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.  
37 C.F.R. Section 1.8(a)
- ☐ with sufficient postage as first class mail.
- ☐ as "Express Mail Post Office to Address"  
Mailing Label No. EL 3694 6665  
(mandatory)
- 37 C.F.R. Section 1.10\*

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office (703) \_\_\_\_\_.

Date: AUG. 29, 2001

  
Signature

E. BELZ  
(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

For (title): **STRUCTURALLY VARIABLE STENTS**

**1. Type of Application**

This transmittal is for an original (nonprovisional) application.

**2. Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) Application

10 Page(s) of Specification

3 Page(s) of Claims

7 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

3 Page(s) of declaration and power of attorney

1 Page(s) of abstract

**3. Declaration or Oath**

Enclosed

Executed by: Swaminathan Jayaraman  
One inventor.

**4. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**5. Language**

English



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

**COPY**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

**MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT**

To replenish your Deposit Account, detach and  
return top portion with your check. Make check  
payable to Commissioner of Patents & Trademarks.

Account No.	120551
Date	8-31-01
Page	2

LARSON & LARSON, P.A.  
HERBERT W. LARSON  
11199-69TH STREET NORTH

FINA

LARGO FL 33773

PLEASE SEND REMITTANCES TO:  
Patent and Trademark Office  
P.O. Box 70541  
Chicago, Ill. 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
8	22	01	235	PCT/US01/25639	135.05	899✓	492.00	11962.00
8	22	01	236	PCT/US01/25639	135.05	566✓	15.00	11947.00
8	24	01	75	09934335	1234.3	201✓	355.00	11592.00
8	24	01	90	09846497	638.20B	205✓	65.00	11527.00
8	24	01	183	76302399	643.28	361✓	325.00	11202.00
8	24	01	225	76302574	643.29	361✓	325.00	10877.00
8	27	01	151	5908414	1497.2	581✓	40.00	10837.00
8	27	01	166	1914369	643.5	372✓	100.00	10737.00
8	27	01	266	5421571	1411.0 / 195.17	581✓	40.00	10697.00
8	27	01	318	1941524	319.4	372✓	100.00	10597.00
8	27	01	319	1941524	319.4	373✓	200.00	10397.00
8	27	01	446	75620514	1004.25	363✓	100.00	10297.00
8	28	01	65	08570605	1426.2	242✓	620.00	9677.00
8	28	01	66	08570605	1426.2	561✓	30.00	9647.00
8	28	01	90	09934335	1234.3	581✓	40.00	9607.00
8	29	01	64	75370301	1004.5	363✓	100.00	9507.00
8	29	01	73	75831325	1004.38	363✓	100.00	9407.00
8	29	01	173	75676880	1135.1	364✓	150.00	9257.00
8	31	01	56	09941327	638.45	101	710.00	8547.00
8	31	01	57	09941327	638.45	103	36.00	8511.00
8	31	01	65	09940996	1516.0	201✓	355.00	8156.00
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT.					OPENING BALANCE 5037.00	TOTAL CHARGES 13771.00	TOTAL CREDITS 16890.00	CLOSING BALANCE 8156.00

Small entity  
should be charged  
355.-  
18.-

\*\*\* O.D. INDICATES OVERDRAWN